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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,211	07/11/2003	Jeffrey D. Provost	CISCO-7357	4216

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THELEN REID & PRIEST LLP  
CISCO  
P.O. BOX 640640  
SAN JOSE, CA 95164-0640

EXAMINER
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BROWN, MICHAEL J

ART UNIT	PAPER NUMBER
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2116

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/618,211	PROVOST, JEFFREY D.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Michael J. Brown	2116	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Bell(US Patent 6,701,443).

As to claim 1, Bell discloses a physical layer(see column 4, lines 24-25) for an inline power device(Medium Dependent Interface(MDI), see column 4, lines 25-26) of a network power system(remote powerability system 20, see Fig. 1), the physical layer comprising an inline power control signal source(control circuitry 80, see Fig. 3), wherein the inline power control signal(response signal, see column 5, line 41) is configured to indicate when to apply power to a port when there is no power applied to the port and when to remove power from the port when there is power applied to the port(Items 42, 44, 46, and 48, see Fig. 2).

As to claim 2, Bell discloses a power source equipment of a network power system(remote powerability system 20, see Fig. 1), the power source equipment comprising at least one physical layer(see column 4, lines 24-25) including an inline power control signal source(control circuitry 80, see Fig. 3), wherein the inline power control signal(response signal, see column 5, line 41) is configured to indicate when to apply power to a port when there is no power applied to the port and when to remove

power from the port when there is power applied to the port(Items 42, 44, 46, and 48, see Fig. 2).

As to claim 3, Bell discloses the power source equipment further comprising signal processing of the inline power control signal, wherein the signal processing is external to the at least one physical layer(see column 4, lines 39-47).

As to claim 4, Bell discloses a method of inline power(Medium Dependent Interface(MDI), see column 4, lines 25-26) for a network power system(remote powerability system 20, see Fig. 1), the method comprising sourcing an inline power control signal(control circuitry 80, see Fig. 3) from a physical layer(see column 4, lines 24-25), wherein the inline power control signal(response signal, see column 5, line 41) is configured to indicate when to apply power to a port when there is no power applied to the port and when to remove power from the port when there is power applied to the port(Items 42, 44, 46, and 48, see Fig. 2).

As to claim 5, Bell discloses an apparatus for inline power(Medium Dependent Interface(MDI), see column 4, lines 25-26) for a network power system(remote powerability system 20, see Fig. 1), the apparatus comprising a physical layer(see column 4, lines 24-25), and means for sourcing an inline power control signal(control circuitry 80, see Fig. 3) from the physical layer, wherein the inline power control signal(response signal, see column 5, line 41) is configured to indicate when to apply power to a port when there is no power applied to the port and when to remove power from the port when there is power applied to the port(Items 42, 44, 46, and 48, see Fig. 2).

As to claim 6, Bell discloses a physical layer(see column 4, lines 24-25) for an inline power device(Medium Dependent Interface(MDI) of a network power system(remote powerability system 20, see Fig. 1), the physical layer comprising an inline power control signal source(control circuitry 80, see Fig. 3), wherein the inline power control signal(response signal, see column 5, line 41) is configured to indicate when to apply power to a port when there is no power applied to the port and when to remove power from the port when there is power applied to the port(Items 42, 44, 46, and 48, see Fig. 2).

As to claim 7, Bell discloses a power source equipment(power apparatus 26, see Fig. 3) of a network power system(remote powerability system 20, see Fig. 1), the power source equipment comprising at least one physical layer(see column 4, lines 24-25) including an inline power control signal source(control circuitry 80, see Fig. 3), wherein the inline power control signal(response signal, see column 5, line 41) is configured to indicate when to apply power to a port when there is no power applied to the port and when to remove power from the port when there is power applied to the port(Items 42, 44, 46, and 48, see Fig. 2).

As to claim 8, Bell discloses the power source equipment further comprising a signal processor configured to process the inline power control signal, wherein the signal processing is external to the at least one physical layer(see column 4, lines 39-47).

As to claim 9, Bell discloses a method of inline power(Medium Dependent Interface(MDI), see column 4, lines 25-26) for a network power system(remote

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powerability system 20, see Fig. 1), the method comprising sourcing an inline power control signal(control circuitry 80, see Fig. 3) from a physical layer(see column 4, lines 24-25), wherein the inline power control signal(response signal, see column 5, line 41) is configured to indicate when to apply power to a port when there is no power applied to the port and when to remove power from the port when there is power applied to the port(Items 42, 44, 46, and 48, see Fig. 2).

As to claim 10, Bell discloses an apparatus for inline power(Medium Dependent Interface(MDI) for a network power system(remote powerability system 20, see Fig. 1), the apparatus comprising a physical layer(see column 4, lines 24-25), and means for sourcing an inline power control signal(control circuitry 80, see Fig. 3) from the physical layer, wherein the inline power control signal(response signal, see column 5, line 41) is configured to indicate when to apply power to a port when there is no power applied to the port and when to remove power from the port when there is power applied to the port(Items 42, 44, 46, and 48, see Fig. 2).

As to claim 11, Bell discloses a network switch for a network power system(remote powerability system 20, see Fig. 1), the switch comprising at least one physical layer(see column 4, lines 24-25) including an inline power control signal source(control circuitry 80, see Fig. 3), wherein the inline power control signal(response signal, see column 5, line 41) is configured to indicate when to apply power to a port when there is no power applied to the port and when to remove power from the port when there is power applied to the port(Items 42, 44, 46, and 48, see Fig. 2).

As to claim 12, Bell discloses the switch further comprising signal processing of the inline power control signal, wherein the signal processing is external to the at least one physical layer(see column 4, lines 39-47).

As to claim 13, Bell discloses a system comprising one or more inline power devices(Medium Dependent Interface(MDI), see column 4, lines 25-26), and one or more powered devices(remote powerability system 20, see Fig. 1) coupled to an inline power device, each of the one or more inline power devices and each of the one or more powered devices having at least one port, each port having a physical layer, the physical layer including an inline power control signal source(control circuitry 80, see Fig. 3) wherein an inline power control signal source(response signal, see column 5, line 41) originating from the inline power control signal source of the physical layer controls application of power to the port(Items 42, 44, 46, and 48, see Fig. 2).

As to claim 14, Bell discloses the system wherein the inline power devices are power source equipment(power apparatus 26, see Fig. 3)(see column 4, lines 21-29).

As to claim 15, Bell discloses the system further comprising a signal processor external to the physical layers to process the inline power control signal(see column 4, lines 39-47).

### ***Response to Arguments***

2. Applicant's arguments filed 2/13/2006 have been fully considered but they are not persuasive. Applicant argues that Bell does not disclose the physical layer of the network power system that is the source of the inline power control signal. Examiner

disagrees as Bell discloses the physical layer of the remote powerability system 20 that is the source of the response signal(see column 4, lines 23-25 and column 5, lines 41-43).

### ***Conclusion***

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Brown whose telephone number is (571)272-5932. The examiner can normally be reached on Monday-Friday from 7:00am to 3:30pm(EST).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIRS) system. Status information for the published applications may be obtained from either Private PAIR or Public PAIR.



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Status information for unpublished applications are available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll-free).

Michael J. Brown  
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**LYNNE H. BROWNE**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**